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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-127

OCT 14 2011

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Return Receipt Requested

James Cagle, Risk Manager - EHS
Nu-West Industries, Inc.
Agrium Conda Phosphate Operations
3010 Conda Road
Soda Springs, Idaho 83276

Re: Request for Clarification and Modification on EPA Approval of Off-Site Soil Sampling Plan Sampling and Analysis Work Plan Addendum
Nu-West Industries, Inc., Conda Phosphate Operations Facility
EPA Docket No. RCRA-10-2009-0186

Dear Mr. Cagle:

The purpose of this letter is to respond to your October 11, 2011 request for clarification and modification of the approved Off-Site Soil Sampling Plan Sampling and Analysis Work Plan Addendum ("Sampling Plan").

Your first point seeks clarification on the background decision unit (DU) approach. Your letter states that Nu-West's approach is to apply a 30-node grid to each of the 1-acre DUs and to collect samples and triplicates from random locations within each node. This approach is acceptable to EPA.

Your second point requested that grinding of samples not be required. EPA does not require grinding of samples per this Sampling Plan.

Your third point requested that a 4.75 mm sieve size be allowed for the radiological samples by the ALS Global laboratory in processing the samples rather than utilizing the more standard 2 mm sieve size. EPA is concerned about inconsistency in sample material between the chemical and radiological analyses, should different sieve sizes be used. A larger sized sieve used for radiological samples could result in radionuclide data from a sample material inconsistent with that resulting from the smaller sized sieve used for the chemical analyses. It is important that both the radiological and chemical analyses be conducted on a consistent and representative sample material. A larger particle size that would pass through a 4.75 mm sieve could be of a different geology than a smaller particle size. For this reason, EPA requires the use of the more standard 2 mm sieve.

Your fourth point requested that the samples sent for radiological analysis may be oven dried. I spoke to WSP Environment & Energy about this request and was informed that ALS Global dries samples at 105 degrees C +/- 5 degrees. This is an acceptable temperature to oven dry samples for only the radiological analyses identified in this Sampling Plan. Higher temperatures could impact analytical results for some radionuclides. Radiological analyses of other radionuclides, not required in this Sampling Plan, can also be affected by oven drying.

Your last point requested utilization of GPS units in order to locate the DUs in lieu of surveying the property areas. This approach is acceptable to EPA.

Lastly, I identified a few errors in Figures 9 and 10 of the Sampling Plan submitted to EPA. Figure 9 shows that A-3 is sub-divided into 24 areas and A-4 is sub-divided into 25 areas. Figure 10 shows that the DU is sub-divided into 25 areas. The number of sub-divided areas within each DU needs to be consistent and set at 30.

I trust that this letter addresses all of your concerns. If you have any additional questions, feel free to call me at (206) 553-2964. Alternatively, you may reach me via email at: Magolske.Peter@epamail.epa.gov. Thank you for your attention to this important matter.

Sincerely,

Peter Magolske
Air / RCRA Compliance Unit

cc: Brian Monson, Idaho Department of Environmental Quality
P. Scott Burton, Esq. Hunton and Williams LLP
Jim Bulman, WSP Environment & Energy